

TSCA Section 6(e) PCB Inspection

Clean Harbors Environmental Services, Inc.  
4105 Whitaker Avenue  
Philadelphia, PA 19124

Date of Inspection: August 26, 2009

EPA Inspector:

Craig E. Yussen  
EPA Region III

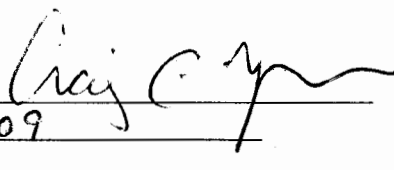
Facility Representatives:

Tyrone Clemens  
Operations Manager

Bonnie C. Martin  
Senior Compliance Manager

EPA Inspector:

Date: 11/2/09



**Background:**

Clean Harbors Environmental Services, Inc. (Clean Harbors), a commercial storage facility for PCBs located at 4105 Whitaker Avenue, Philadelphia, PA, was targeted for a PCB inspection in Fiscal Year 2009 under a targeted inspection scheme. EPA had previously conducted PCB inspections at this site on May 7, 2003 and May 23, 2006. The result of the May 23, 2006 inspection was the issuance of a pre-negotiated Consent Decree and Consent Order for violations of the Polychlorinated Biphenyl (PCB) Regulations under the Toxic Substances Control Act (TSCA).

**Facility Description:**

Clean Harbors' Philadelphia, PA facility occupies approximately 3 acres in Northeast, Philadelphia. As a Commercial Storage Facility, Clean Harbors receives PCB wastes from various customers and stores these wastes in a designated PCB storage area. The main types of customers for which Clean Harbors serves are large utility companies such as Philadelphia Electric Company (PECO), New York State Electric & Gas Co, and Niagu Mohawk Co. All wastes are eventually re-manifested and shipped offsite for disposal at disposal facilities located in Tucker, GA, Coffeyville, KS, Twinsburg, OH, or Coffeyville, KS. At the time of the inspection, Clean Harbors employed 6 people, including 3 plant personnel. Photo 1 shows the outside of the facility. A copy of the site plan is included in this report as Document 1.

**Opening Conference:**

On August 26, 2009 at about 8:50 AM, the EPA inspector arrived at 4105 Whitaker Avenue and met with Tyrone Clemens, Operations Manager, and Bonnie C. Martin, Senior Compliance Manager. The EPA inspector presented his credentials and explained to the representatives the purpose of the inspection – to determine the facility's compliance status with

the PCB Rule under TSCA. The inspector then presented the Notice of Inspection form and the Confidentiality Notice, both of which were signed by Ms. Martin. A copy of the Notice of Inspection and the Confidentiality Notice are provided in of this Inspection Report. The inspector then presented the Receipt for Samples and Documents form and explained that it would be completed and signed at the end of the inspection. The inspector also indicated that documents may be copied, and that photographs may be taken.

### **Records Inspection**

After the opening conference, a series of questions was asked by the inspector regarding the facility's standard operating procedures regarding its handling of PCBs. In addition, pertinent records related to the PCB storage area were reviewed and collected during the inspection to determine Clean Harbors compliance with the applicable use, recordkeeping, and manifesting requirements of the PCB regulations. According to Mr. Clemens, all relevant records are maintained at the site's central office and are kept indefinitely.

Regarding the facility's sampling protocol in verifying PCB content of incoming waste, if the customer opts to treat the entire waste as containing PCBs at 500 ppm or greater, no sampling is performed by Clean Harbors. Verification sampling is performed only if the customer is unsure whether or not its waste contains PCBs. Specifically, a sample in a 7 ml. vial is collected from the waste and shipped to its Coffeyville, KS facility for verification.

Regarding the facility's approach in uniquely identifying each PCB Item, Clean Harbors implements a computerized system which, for each such item, generates a label bearing a specific identification number and barcode, as well as the item's out of service date (see Photos 12 – 15). The facility verifies each PCB Item's out of service date by requesting its customer, via telephone call, to include this date on the associated manifest.

The inspector asked Mr. Clemens about the facility's procedures in the event an item in the PCB storage area was leaking. According to Mr. Clemens, leaking PCB Transformers are drained into a secondary container and the transformer carcass is sealed. He also indicated that any leaking drums are placed into an overpack.

According to Mr. Clemens, the PCB storage area is checked for leaks daily and records of such daily inspections are prepared and maintained. Examples of such logs are included in this report as Document 2.

The facility also maintains logs of any PCBs added to, and extracted from the totes and tanker located in the PCB storage area. A sample of this log is included in this report as Document 3. In addition, the facility has been preparing Annual Document logs for each calendar year. Such Annual Documents for calendar years 2006, 2007, and 2008 are included in this report as Documents 4, 5, and 6, respectively. Moreover, Clean Harbors has been maintaining computerized logs of all incoming and outgoing wastes from each customer PCBs stating the dates of receipt and outgoing shipment of these wastes. Excerpts of these records were extracted from the facility's record binders for the 2006, 2007, and 2008 calendar years, were copied, and are included in this report as Documents 7, 8, and 9, respectively.

The inspector was led into the main recordkeeping room by the facility representatives. The room housed several file cabinets containing incoming and outgoing manifests, as well as the associated Certificates of Disposal (CODs), for each batch of waste received at the facility. These documents are arranged in chronological order. The inspector selected, for more detailed scrutiny, three waste files at random, included in this report as Documents 10, 11, and 12. A summary of the information from each file is given in the table below:

GENERATOR	ITEM TYPE	OUT OF SERVICE DATE	DATE OF DISPOSAL	COD INCLUDED?
PSE & G – Central Division HQ	PCB Transformer	June 14, 2006	Jan 13, 2007	Yes
Niagara Mohawk (Liverpool, NY)	PCB Liquid	Jan 10, 2007	Apr 16, 2007	Yes
New York State Electric & Gas (Binghamton, NY)	PCB Liquid	August 13, 2007	Nov 8, 2007	Yes

### **Physical Inspection**

The EPA inspector conducted the physical inspection of the Commercial Storage facility along with the facility representatives. The storage area has several entrances from the outside of the building, plus an access via the office area. All entrances were marked with the PCB ML label (see Photos 2-6). The storage area encompasses an area of approximately 70' x 140' whose floor is constructed of concrete coated with several coats of 2-part epoxy (see Photos 7, 8, 18, and 19). The entire area is encircled with concrete curbing coated with a yellow epoxy (see Photos 8 – 10). The inspector measured the height of the curbing to be 9 ½ inches all the way around. No drains, nor cracks in the floor, ceiling or walls were observed by the inspector in the area.

The PCB Items observed by the inspector include several drums (see Photos 12 - 15), approximately 10 totes (see photos 11, 20, and 21), and hoses used by the facility to transfer PCBs from one container to another. The inspector noted that all the drums and totes beared the PCB ML label (see Photos 12 - 14, 16 - 17, and 20 - 21). In addition, all the drums beared a white label stating a unique identification number and the out of service date of the PCBs (see Photos 12 and 15). No PCB Items were observed to be leaking. The inspector and the facility representatives left the storage area and returned to the conference room for the closing conference.

### **Closing Conference**

After completing the physical inspection and records inspection, the inspector conducted the closing conference with the facility representatives. The inspector and Ms. Martin signed a copy of the Receipt for Samples and Documents form, which indicated that 21 photographs were taken, in addition to copies of 12 documents. No PCB samples were taken by the inspector. Mr. Yussen thanked the company representatives for their participation during the inspection and departed the site.

### **List of Documents**

1. Clean Harbors – 4105 Whitaker Ave. site plan
2. Sample visual inspection logs
3. Log of disposition of PCBs in totes and tanker
4. 2006 Annual Report
5. 2007 Annual Report
6. 2008 Annual Report
7. Excerpt from PCB Document Log for 2006
8. Excerpt from PCB Document Log for 2007
9. Excerpt from PCB Document Log for 2008
10. Manifest # 000635365 FLE and associated correspondence
11. Manifest # 000626535 FLE and associated correspondence
12. Manifest # 00460733 GBF and associated correspondence

21 Photographs

## **ENFORCEMENT CONFIDENTIAL**

### **SUMMARY OF FINDINGS**

A TSCA PCB inspection was conducted at Clean Harbors Environmental Services, Inc. on August 26, 2009. The facility is a commercial PCB storage area which stores PCBs from various customers. A review of the facility's records related to the wastes in its storage area indicates that the facility properly prepared its required Annual Documents for at least the 2006, 2007, and 2008 calendar years. In addition, a spot check of the facility's manifests showed that all manifesting requirements of the PCB Rule were met and that the PCBs were properly disposed of within one year after they were taken out of service. Moreover, the facility has been preparing and maintaining the required visual inspection records, as well as records of any PCBs added and subtracted from its large totes stored in the aforesaid area.

A physical inspection of the PCB storage area revealed that the entrances to the area were properly marked with the PCB ML label and that the facility's floors, walls, ceiling, and curbing were adequately constructed. All PCB Items in the area, including drums and totes were properly marked with the ML label and the drums displayed a label bearing the PCBs' out of service date.

In conclusion, the facility appears to be in full compliance with the PCB Rule under TSCA and the regulations cited at 40 C.F.R. Section 761.



## **PHOTOGRAPHIC LOG**

<b>PHOTO #</b>	<b>DESCRIPTION</b>	<b>TIME TAKEN</b>
1	Clean Harbors Environmental Services, Inc.	8:52 AM
2	Office Entrance to PCB Storage Area	11:33 AM
3	Outside Entrance to PCB Storage Area	11:35 AM
4	Outside Entrance to PCB Storage Area	11:35 AM
5	Outside Entrance to PCB Storage Area	11:37 AM
6	Outside Entrance to PCB Storage Area	11:39 AM
7	Flooring of PCB Storage Area	11:43 AM
8	Flooring and Curbing of PCB Storage Area	11:46 AM
9	Flooring and Curbing of PCB Storage Area	11:47 AM
10	Flooring and Curbing of PCB Storage Area	11:48 AM
11	Flooring, Curbing, and Totes in PCB Storage Area	11:49 AM
12	Drum and Labels (sample)	11:51 AM
13	Drum and Labels (sample)	11:53 AM
14	Drums and Labels (sample rows)	11:55 AM
15	Drum and Labels (sample)	11:56 AM
16	Drums and Labels (sample rows)	12:03 PM
17	Drums and labels (sample rows)	12:05 PM
18	Flooring and Curbing of PCB Storage Area	12:08 PM
19	Flooring and Curbing of PCB Storage Area	12:09 PM
20	Flooring, Curbing, and Totes in PCB Storage Area	12:11 PM
21	Flooring, Curbing, and Totes in PCB Storage Area	12:11 PM

# Photo Index

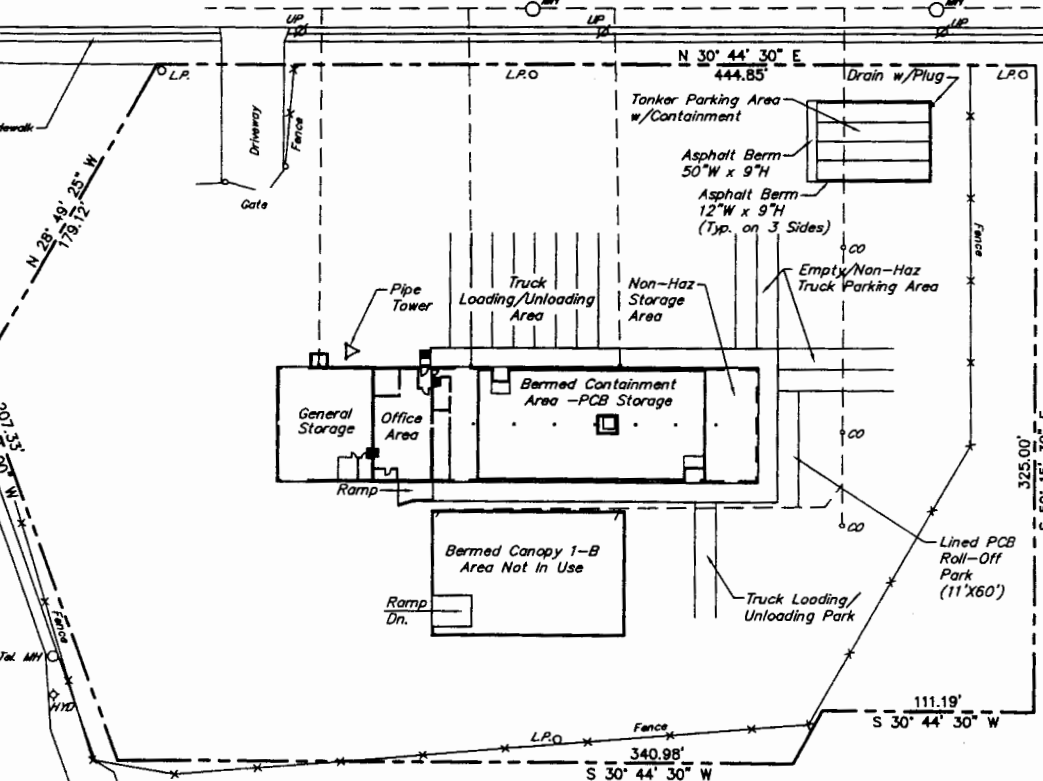
Photo #	Description	Time Taken
1	Clean Harbor Fac	8:52
2	Office Entrance to <sup>top</sup> 3rd. area.	11:33
3	Outside Entrances	11:35
4	"	11:35
5	"	11:37
6	"	11:39
7	Flooring	11:43
8	Flooring, curling	11:46
9	" "	11:47
10	" "	11:48
11	" " + Totes	11:49
12	Drum + <sup>yellow</sup> label (date)	11:51
13	"	11:53
14	Drums + Labels	11:55
15	Drum + <sup>yellow</sup> label + date	11:56
16	Same as photo 14	12:03
17	" "	12:05
18	Same as <8>	12:08
19	Same as <8>	12:09
20	Same as <11>	12:11
21	Same as <11>	12:11

# LEGEND

○ CO	CLEANOUT
◇ HYD	FIRE HYDRANT
○ MH	MANHOLE
○ Tel. MH	TELEPHONE MANHOLE
○ L.P.	LIGHT POLE
◇ UP	UTILITY POLE
---	PROPERTY LINE

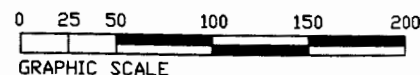
WHITAKER AVENUE

LUZERNE STREET



## NOTES:

1. BASE MAP DEVELOPED FROM "SITE PLAN" BY BLACK & VEATCH SPECIAL PROJECTS CORP., PHILADELPHIA, PA., PROJECT NO. 44901 DRAWING SHEET 1 OF 3, DATED 12/27/95.
2. BUILDING LAYOUT TAKEN FROM "FLOOR PLAN" BY BLACK & VEATCH SPECIAL PROJECTS CORP., PHILADELPHIA, PA., PROJECT NO. 44901 DRAWING SHEET 2 OF 3, DATED 12/27/95.



C	RESIDUAL WASTE PERMIT RENEWAL	K.M.C.	A.M.L.	A.M.L.	12/3/07
B	SPCC PLAN	K.M.C.	A.M.L.	A.M.L.	7/28/06
A	PERMIT APPLICATION	K.M.C.	A.M.L.	A.M.L.	11/21/02
ISSUE	DESCRIPTION	DRAWN	CHECKED	APPROVED	DATE

**CleanHarbors**  
ENVIRONMENTAL SERVICES

42 Longwater Drive  
Norwell, Massachusetts 02061  
Telephone (781) 792-5000

TITLE  
**CLEAN HARBORS (PPM) LLC**  
4105 WHITAKER AVENUE  
PHILADELPHIA, PA

## SITE PLAN

PROJECT NO. S-K PHILLY

DRAWING NO.

SCALE 1"=50'

**SKPA-C-01**

Document 1